

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police –APAT, Hyderabad – O.A.No.1376/2007 filed by Sri M. Chandraiah, ARSI, and Sri Thakur Singh HC 1008 (Retd) 1<sup>st</sup> Bn APSP and OA.No.3481/2008 filed by Sri S.A.M. Magrabi, P.C.91 1<sup>st</sup> Bn APSP – Regularization of period of suspension and out of employment- Orders – Issued.

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HOME (SER.II) DEPARTMENT

G.O.Rt.No. 470

Dated:17-3-2010

Read the following:

1. From the APAT, Hyderabad, Orders dated: 17-12-2009 in OA.No. 1376/2007
2. From Sri M. Chandraiah, ARSI, 1<sup>st</sup> Bn APSP., Hyderabad, petition dated: 11-1-2010
3. From Sri Thakur Singh HC 1008 (Retd) 1<sup>st</sup> Bn., APSP, Hyderabad, petition dated: Nil

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**Order:**

Sri M.Chandraiah, A.R.S.I. 698, Sri Hakeem Khan, H.C.517, Sri Thakur Singh, H.C.1008 and S.A.M.Magrabi, P.C.91 of 1<sup>st</sup> Battalion, APSP, Yousufguda, Hyderabad, were dealt with the following delinquency:

“They were found to be unfit of police duties as per the Medical Board of Osmania General Hospital, Hyderabad. Their failure to maintain good health through regular training/P.T./Diet control has result in their becoming physical unfit to perform their legitimate duties”.

2. The Commandant 1<sup>st</sup> Battalion, Andhra Pradesh Special Police, Hyderabad, has awarded the punishment of compulsory retirement from service on the above charged officers treating their suspension period as leave without pay. However, on their appeal petitions, the DIG, APSP Bns., Hyderabad, has set aside the punishment and reinstated them in to service treating their period of suspension and out of employment period as ‘Not on Duty’

3. The petition of Sri Hakeem Khan H.C.517 to the Government was considered and the period of out of employment period from 1-5-1999 to 31-3-2001 was treated as on duty vide G.O.Ms.No.179 , Home (Ser.II) Dept., dated: 20-6-2008. However, upon the petitions of Sri M.Chandraiah, AR.S.I, Sri Thakur Singh, H.C.1008 and Sri S.A.M. Magrabi, P.C.91., Government have treated their suspension and out of employment as leave to which they were eligible vide G.O. Rt.No.1855, Home (Ser.II) Dept., dated: 3-11-2006.

4. Aggrieved by the above, Sri M.Chandraiah, AR.S.I, and Thakur Singh, H.C.1008 have approached the Hon’ble APAT in OA.No. 1376/2007 and Sri S.A.M. Magrabi, P.C.91 in OA.No.3481/2008. The OA.No.3481/2008 is pending before the Hon’ble APAT., whereas in OA.No. 1376/2007, the APAT in its order dated: 17-12-2009, has made the following orders:

“... the 1<sup>st</sup> respondent is directed to consider the cases of the applicants in terms of the G.O.MS.No.179, dated: 20-6-2002 and pass appropriate orders regarding the claim of the applicants for extending the benefits of treating the period of suspension as well as out of employment period as on duty and pass appropriate orders according to rules”

5. Based on the above judgment of the APAT, Sri M.Chandraiah, AR.S.I, and Sri Thakur Singh, H.C.1008 have represented to Government requesting to treat their suspension as well as out of employment period as on duty. Further Sri M.Chandraiah, AR.S.I, has also requested to treat his sickness period from 25-12-1998 to 19-3-1999 as commuted leave on medical grounds.

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6. Government after careful examination of the matter with reference to the orders of the Hon'ble APAT in OA.No. 1376/2007 and with reference to FR 54 (2) (3) and FR 54 (b) (3) (4), hereby treat the period of suspension and out of employment of Sri M.Chandraiah, AR.S.I, Sri Thakur Singh, H.C.1008 and Sri S.A.M. Magrabi, P.C.91 (though not covered in OA No. 1376/2007) as on duty.

7. Government have also examined the request of Sri M.Chandraiah, AR.S.I, to treat his sickness period from 25-12-1998 to 19-3-1999 as commuted leave on medical grounds and decided not to consider the same as it was already rejected by the Government vide G.O.Rt.No.1855 dated: 3-11-2006.

8. The Director General of Police, Andhra Pradesh, Hyderabad is requested to take necessary follow up action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To,  
The Director General of Police, Andhra Pradesh, Hyderabad  
The Individuals concerned through DGP, AP, Hyderabad,  
Sc/Sf

//Forwarded:: By order//

SECTION OFFICER